

Serial No.: 10/658,799

REMARKS

Claims 1, 2, 4, 5, and 42-47 are pending in the application. By this amendment, claims 1 and 42 have been amended. Claims 1 and 42 are independent. Thus, no new matter is added. Reconsideration of the application is respectfully requested.

AMENDMENT

The claim amendments do not raise any new issues, Thus, entry of the claim amendments is respectfully requested.

DOUBLE PATENTING REJECTIONS

The Office Action provisionally rejects claims 1, 2, 4, 5 and 42-47 under nonstatutory obviousness-type double patenting (ODP) over claims 42, 44 and 45 of copending Application no. 10/658,799 to Moon et al. (Moon I)¹ in view of U.S. Patent Publication No. 2002/0194618 to Okada et al. (Okada); provisionally rejects claims 1, 2, 4, 5 and 42-47 under nonstatutory ODP over claims 1, 3 and 4 of copending Application no. 12/170,911 to Moon et al. (Moon II) in view of Okada; provisionally rejects claims 1, 2, 4, 5 and 42-47 under nonstatutory ODP over claims 1 and 5 of copending Application no. 12/170,992 to Moon et al. (Moon III) in view of Okada; provisionally rejects claims 1, 2, 4, 5 and 42-47 under nonstatutory ODP over claims 6 and 10 of copending Application no. 12/170,975 to Moon et al. (Moon IV) in view of Okada; and provisionally rejects claims 1, 2, 4, 5 and 42-47 under nonstatutory ODP over claims 1, 3 and 4 of copending Application no. 12/170,964 to Moon et al. (Moon V) in view of Okada.

Claims 1 and 42 have been amended to obviate the rejections.

Accordingly, withdrawal of the rejections is respectfully requested.

THE CLAIMS DEFINE PATENTABLE SUBJECT MATTER

The Office Action rejects claims 1, 2, 4, 5 and 42-47 under 35 U.S.C. §102(e) over Okada. This rejection is respectfully traversed.

¹ Please note the rejection in view of Moon I is moot since Moon I is the present application.

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Independent claim 1 recites, inter alia, “a timemap comprising: reproduction time information specifying respective reproduction times of corresponding audio visual stream data in the audio visual stream; and position information specifying respective positions of the corresponding audio visual stream data in the audio visual stream.” Independent claim 42 recites similar subject matter. Accordingly, the applied reference fails to teach or render obvious the recited features of independent claims 1 and 42.

The Office Action relies on stream.xml, Fig. 19 and paragraphs [0250]-[0272] of Okada for corresponding with the recited timemap.

Okada discloses a video reproduction apparatus that reproduces externally supplied package media that contains video content storing video data and playback control data for controlling reproduction of video data in a specified data format. See Abstract of Okada.

More specifically, Okada discloses that, in the stream.xml file, the time and size information of each VOB is described in the timemap information. The timemap records the unit playback time and data size of each VOB entry. When skipping to a desired time in the playback stream for reproduction, the VOB to be played is detected by adding the time information for each entry in the timemap and adding the size of each VOB to determine the seek address in the file. The timemap data thus also functions as a filter for converting time and address information in the stream. See Fig. 19 and paragraphs [0250] and [0267]-[0272] of Okada. However, the timemap data of Okada does not include any information to specify respective reproduction times and positions. Okada merely discloses time and size information of each VOB.

Furthermore, the navigation data in the present application is data stored on the data storage medium, while the selectedTitle function and getTitle function of Okada are software included in the Operating System (OS). See Figs. 23 and 24 of Okada.

Thus, Okada fails to teach or render obvious “a timemap comprising: reproduction time information specifying respective reproduction times of corresponding audio visual stream data in the audio visual stream; and position information specifying respective positions of the corresponding audio visual stream data in the audio visual stream.” Accordingly, the applied reference fails to teach or render obvious the recited features of independent claims 1 and 42.

REPLY UNDER 37 C.F.R. § 1.116
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The dependent claims are patentable at least due to their dependence on allowable independent claims 1 and 42 and for the additional features they recite.

Accordingly, withdrawal of the rejection of the claims is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Office is requested to telephone the undersigned to attend to these matters.

Please charge any fees under 37 CFR 1.16 and 1.17 that may be required for this paper only to Deposit Account No. 50-5113 in the name of North Star Intellectual Property Law, PC.

Respectfully submitted,

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